

Effective 5/10/2016

26A-1-111 Removal of local health officer.

- (1) The local health officer may be removed for cause in accordance with this section by:
 - (a) the board, if the local health officer is appointed for a single county local health department;
 - (b) a majority of the counties in the local health department if:
 - (i) the local health department is:
 - (A) a multicounty local health department created under Section 26A-1-105; or
 - (B) a multicounty united local health department created under Section 26A-1-105.5; and
 - (ii) the county executives rescind or withdraw, in writing, the ratification of the local health officer; or
 - (c) the county governing body, if the local health department is a united local health department for a single county, and the county governing body rescinds or withdraws, in writing, the ratification of the local health officer.
- (2)
 - (a) A hearing shall be granted, if requested by the local health officer, prior to removal of the local health officer.
 - (b) If a hearing is requested, it shall be conducted by a five-member panel with:
 - (i) two elected members from the county or counties in the local health department, selected by the county executives;
 - (ii) two members of the board of the local health department who are not elected officials of the counties in the local health department, selected by the board; and
 - (iii) one member selected by the members appointed under Subsections (2)(b)(i) and (ii), however, the member appointed under this Subsection (2)(b)(iii) may not be an elected official of the counties in the local health department and may not be a member of the board of the local health department.
 - (c)
 - (i) The hearing panel shall report its decision regarding termination to the board and to the counties in the local health department.
 - (ii) The counties and board receiving the report shall vote on whether to retain or terminate the local health officer.
 - (iii) The health officer is terminated if:
 - (A) the board votes to terminate; or
 - (B) a majority of the counties in the local health department vote to terminate.

Amended by Chapter 113, 2016 General Session